

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

## All Actions

Master File No. 12-md-02311

**Judge Marianne O. Battani**  
**Magistrate Mona K. Majzoub**

**AFFIDAVIT OF DISCLOSURE OF NOMINATED MASTER**  
**PURSUANT TO 28 U.S.C. § 455 AND F.R.C.P. RULE 53**

[illegible]

The undersigned, GENE J. ESSHAKI, being first duly sworn, deposes and states as follows:

1. I am of majority age, a resident of the County of Wayne, State of Michigan, and otherwise qualified to make this Affidavit.

2. I am currently a member in good standing of the State Bar of Michigan, the United States District Court for the Eastern District of Michigan, the United States District Court for the Western District of Michigan, the United States Circuit Court for the Sixth Circuit, and the United States Supreme Court.

3. I have been nominated as a Master in the above-referenced multi-district litigation.

4. I am making this Affidavit pursuant to Fed. R. Civ. P. 53(b) (3) (A) and 28 U.S.C. § 455.

5. I have personally reviewed the list of parties in Case 2:12-md-0231-MOB-MKM, Automotive Parts Antitrust Litigation, dated July 18, 2014.

6. I have also reviewed a certain Excel spreadsheet entitled: "In Re: Automotive Parts Antitrust Litigation Exhibit B: Auto Parts and Defendants."

7. I am unaware of any grounds to disqualify me pursuant to 28 U.S.C. § 455(a) where my impartiality might reasonably be questioned.

8. I am unaware of any grounds to disqualify me pursuant to 28 U.S.C. § 455(b) (1) through (5).

9. I have had no personal contact with any of the parties in these proceedings; have had no contact with the criminal investigations giving rise to these proceedings, or no involvement with any of the facts or issues raised in the antitrust proceedings.

10. My partner, Mary P. Nelson, has performed legal services for Sumitomo Bakelite North American Holdings, Inc., a Michigan corporation and a subsidiary of Sumitomo Bakelite Company, Ltd., a Japanese Corporation. Those services include general corporate advice and assistance in drafting contractual agreements. None of the work performed by Mary Nelson involved any of the Defendants in these proceedings, nor in any manner related to the facts or circumstances that are at issue in the antitrust litigation. Ms. Nelson has not performed services for any Sumitomo entity involved in wire harnesses or heater control panels.

11. I do not believe that the relationship between Mary P. Nelson and Sumitomo Bakelite American Holdings, Inc. would prevent me from fairly and impartially acting as Court appointed Master in these proceedings or require my disqualification under 28 U.S.C. § 455.

12. Mary Nelson's representation of a non-party subsidiary of a sister company on matters unrelated to the issues in controversy in this case do not require my disqualification because:


- a. None of my partners, associates nor do I have a relationship with any of the parties to this action.
- b. None of my partners, associates nor have I served as a lawyer on any matters in controversy in this case.
- c. None of my partners, associates nor I is or would be a material witness concerning any of the matters in controversy.
- d. None of my partners, associates nor do I have a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings or matters in controversy.

FURTHER, AFFIANT SAYETH NOT.

Dated: August 13, 2014

  
\_\_\_\_\_  
GENE J. ESSHAKI

Subscribed and sworn to before me this  
13th day of August, 2014.

  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
Acting in the County of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

